

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

STEVEN J. FRATO JR.,

Plaintiff,

v.

CAPITAL MANAGEMENT SERVICES L.P.,

Defendant.

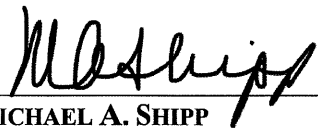
Civil Action No. 23-4049 (MAS) (JBD)

**ORDER**

This matter comes before the Court upon Defendant Capital Management Services L.P.'s ("Defendant") motion to dismiss (ECF No. 9) Plaintiff Steven J. Frato Jr.'s ("Plaintiff") Complaint (ECF No. 1). Plaintiff opposed (ECF No. 12), and Defendant replied (ECF No. 13). The Court has carefully considered the parties' submissions and decides the matter without oral argument under Local Civil Rule 78.1. For the reasons stated in the Court's accompanying Memorandum Opinion,

**IT IS**, on this 8th day of January 2025, **ORDERED** that:

1. Defendant's motion to dismiss (ECF No. 9) is **GRANTED**.
2. Plaintiff's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**.
3. Plaintiff shall have thirty (30) days from the filing of this Order on the docket to file an amended complaint.
4. The Clerk's Office shall close this case.

  
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**MICHAEL A. SHIPP**  
UNITED STATES DISTRICT JUDGE